

**Introduced by Senator Padilla**

February 26, 2009

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An act to amend Section 113947.3 of the Health and Safety Code, relating to food safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 453, as introduced, Padilla. Food safety.

The California Retail Food Code provides for the regulation of health and sanitation standards for retail food facilities by the State Department of Public Health. Under existing law, local health agencies are primarily responsible for enforcing this code.

This code generally requires food facilities, except temporary food facilities, to have an owner or employee who has successfully passed an approved and accredited food safety certification examination from an accredited food protection manager certification organization, except as specified.

This bill would require at least one of the accredited food safety certification examinations to be offered online.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 113947.3 of the Health and Safety Code
- 2     is amended to read:
- 3     113947.3. (a) Food safety certification shall be achieved by
- 4     successfully passing an examination from an accredited food
- 5     protection manager certification organization. The certification
- 6     organization must be accredited by the American National

1 Standards Institute as meeting the requirements of the Conference  
2 for Food Protection's "Standards for Accreditation of Food  
3 Protection Manager Certification Programs." Those food  
4 employees who successfully pass an approved certification  
5 examination shall be issued a certificate by the certifying  
6 organization. The issuance date for each original certificate issued  
7 pursuant to this section shall be the date when the individual  
8 successfully completes the examination. Certificates shall be valid  
9 for five years from the date of original issuance. Any replacement  
10 or duplicate certificate shall have as its expiration date the same  
11 expiration date that was on the original certificate.

12 (b) (1) ~~Within 12 months after the effective date of this part~~ By  
13 *July 20, 2008*, the department, in consultation with the California  
14 Conference of Directors of Environmental Health, representatives  
15 of the retail food industry, and other interested parties, shall  
16 develop and implement a program for the purposes of  
17 demonstrating adequate knowledge for operators of temporary  
18 food facilities.

19 (2) At least one of the accredited food safety certification  
20 examinations shall cost no more than sixty dollars (\$60), including  
21 the certificate. However, the department may adjust the cost of  
22 food safety certification examinations to reflect actual expenses  
23 incurred in producing and administering the food safety  
24 certification examinations required under this section. If a food  
25 safety certification examination is not available at the price  
26 established by the department, the certification and recertification  
27 requirements relative to food safety certification examinations  
28 imposed by this section shall not apply.

29 (3) *At least one of the accredited food safety certification*  
30 *examinations shall be offered online.*